

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOSEPH MICHAEL DEVON ENGEL,

Plaintiff,

v.

PNC BANK, et al.,

Defendants.

No. 4:20-cv-01930-JMB

MEMORANDUM AND ORDER

This matter comes before the Court on its own motion. On January 22, 2021, the Court denied plaintiff's motion for leave to proceed in forma pauperis and dismissed his complaint pursuant to 28 U.S.C. § 1915(g). (Docket No. 4). In the order, the Court noted that plaintiff accrued three strikes as of December 21, 2020.¹ It appears, however, that plaintiff signed and dated the instant action on December 20, 2020, before accruing the third strike. Therefore, the Court will vacate its dismissal of plaintiff's complaint, and direct the Clerk of Court to reopen this case.

Accordingly,

IT IS HEREBY ORDERED that the 28 U.S.C. § 1915(g) dismissal entered on January 22, 2021 is **VACATED**.

IT IS FURTHER ORDERED that the Clerk of Court shall reopen this case.

Dated this 24th day of January, 2021.


STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE

¹ The three cases are: (1) *Engel v. Governor of Missouri, et al.*, No. 1:20-cv-217-HEA (E.D. Mo. Dec. 15, 2020); (2) *Engel v. United States of America, et al.*, No. 4:20-cv-1742-MTS (E.D. Mo. Dec. 18, 2020); and (3) *Engel v. Missouri Courts, et al.*, No. 4:20-cv-1258-SPM (E.D. Mo. Dec. 21, 2020).